



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 30, 2022

BY ECF

The Honorable J. Paul Oetken
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

Re: ***United States v. Andre Barnes, a/k/a "Lotty," 22 Cr. 43 (JPO)***

Dear Judge Oetken:

The Government respectfully submits this letter, with the consent of the defense, to request that the upcoming status conference in this case, currently scheduled for January 4, 2023, be adjourned for approximately 60 days. The parties in this matter have discussed a plea agreement, and believe that this case will be resolved without trial. Based on my conversations with defense counsel, my understanding is that the defense intends to file a motion in this matter in the near future, and the parties anticipate reaching a disposition of this case upon resolution of the defense motion.

Because the parties are discussing potential resolutions of this case, and because the defense is reviewing the discovery to determine, among other things, what motions, if any, they will file, the Government requests that the time between the date of this letter and the next scheduled conference date be prospectively excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), in the interest of justice.

Granted. The January 4, 2023 pretrial conference is adjourned to March 6, 2023, at 2:30 pm. The Court hereby excludes time through March 6, 2023, under the Speedy Trial Act, 18 USC 3161(h)(7)(A), finding that the ends of justice outweigh the interests of the public and the defendants in a speedy trial.

So ordered:
January 3, 2023

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s/
Christopher Brumwell
Assistant United States Attorney
212-637-2477


J. PAUL OETKEN
United States District Judge